



Department of Justice

United States Attorney Eric Melgren
District of Kansas

FOR IMMEDIATE RELEASE
THURSDAY, MARCH 1, 2007
<http://www.usdoj.gov/usao.ks/press.htm>

CONTACT: Jim Cross
PHONE: (316) 269-6481
FAX: (316) 269-6420

JURY CONVICTS 42-YEAR-OLD MAN WHO PLANNED SEX WITH 13-YEAR OLD

WICHITA, KAN. – **Brian J. Butters**, 42, of Pampa, Texas, was convicted Thursday on federal charges of using the Internet to set up a sexual encounter with what he thought was a 13-year-old girl.

A jury returned a guilty verdict after a two-day trial before U.S. District Judge Wesley E. Brown.

“Mr. Butters was arrested in a parking lot at a Wal Mart store on west Kellogg in Wichita, where he had purchased a box of condoms and was waiting to meet what he believed was a girl of middle school age,” said U.S. Attorney Eric Melgren. “He had sent her messages saying how much he looked forward to having sex with her.”

Evidence was presented at trial to show that in August 2006 Butters was a member of the U.S. Army stationed at Ft. Riley, Kan., when he began using the Internet and Yahoo Instant Messenger to communicate with an employee working undercover for the Pratt County Sheriff’s Office. They exchanged messages in a chat room called “Kansas13.” The undercover agent identified herself as a 13-year-old female named Michelle Johnson. Butters said that if “Michelle” would satisfy him he would treat her like a queen. He went on to explain that by “satisfy” he meant she would have sex with him whenever he wanted. He advised her not to let her mother know about their conversations.

On Sept. 8, 2006, Butters sent “Michelle” a message saying that he was going to wash his car, gas it up and drive from Junction City, Kan., to Wichita. He said his plan was to get a motel room in Goddard, Kan., where they could have sex. He asked her to purchase condoms and said he would pay her back. He said

when he arrived he would park at the west Kellogg Wal Mart near the lawn and garden entrance.

Butters sent “Michelle” a text message at about 2 p.m. Sept. 8, 2006, to tell her that he had arrived at the Wal Mart. She replied in a message saying she did not feel comfortable buying condoms. He said he would do it. FBI agents observed while he entered the Wal Mart store and purchased the condoms from the pharmacy section. They arrested him when he returned to his car.

Sentencing is set for May 7. Butters faces a penalty of not less than 10 years and not more than 30 years in federal prison and a fine up to \$250,000.

This case is being brought as part of Project Safe Childhood. In February 2006, Attorney General Alberto R. Gonzales created Project Safe Childhood, a nationwide initiative designed to protect children from online exploitation and abuse. Led by the United States Attorneys Offices, Project Safe Childhood marshals federal, state and local resources to better locate, apprehend, and prosecute individuals who exploit children via the Internet, as well as identify and rescue victims. For more information about Project Safe Childhood, please visit www.projectsafechildhood.gov/

Melgren commended the Federal Bureau of Investigation for its work on the case, as well as Assistant U.S. Attorney Alan Metzger, who prosecuted.

#